

Enclosed is a replacement page 2 of the Amendment submitted on August 1, 2002 which provides a clean version of the Amendment to claim 1. In accordance with the Notice of Non-Compliant Reply, the balance of the Amendment, regular pages 1 and 3-10 are not being submitted herewith.

Applicant believes that additional fees are not required, however, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge Deposit Account No. **04-1105**. In particular, the Commissioner is hereby authorized to charge any deficiencies in the following fees: filing fees (37 C.F.R. §1.16(a), (f) or (g)); fees associated with the presentation of extra claims (37 C.F.R. §1.16(b), (c) and (d)); surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application (37 C.F.R. §1.16(e)); extension fees pursuant to § 1.136(a) (37 C.F.R. §1.17(a)(1)-(5)); and application processing fees (37 C.F.R. §1.17).

Applicant further believes that the prior Response to Office Action was clearly a *bona fide* response and, as such, no additional fees are required at this time. In any event, Applicant requests and if necessary petitions that the application be confirmed to be now pending and filing requirements completed. Any fees for such a petition should be charged to deposit account 04-1105.

Kanayama et al.
U.S.S.N.: 09/768,931
RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT
Page 3

Respectfully submitted,

Date: August 23, 2002




21874

PATENT TRADEMARK OFFICE

Tel. No. (617) 439-4444

By: _____


John B. Alexander, Ph. D.
Dike, Bronstein, Roberts & Cushman
Intellectual Property Practice Group
EDWARDS & ANGELL, LLP
P. O. Box 9169
Boston, MA 02209

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/768,931	01/24/2001	Satoshi Kanayama	55551-CIP(1360)	3848

7590

08/16/2002

Dike, Bronstein, Roberts & Cushman
Intellectual Property Practice Group
EDWARDS & ANGELL, LLP
130 Water Street
Boston, MA 02109

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AUG 22 2002

EDWARDS & ANGELL LLP
DIKE BRONSTEIN
ROBERTS CUSHMAN

EXAMINER

BUTTNER, DAVID J

ART UNIT

PAPER NUMBER

1712

DATE MAILED: 08/16/2002

8

Please find below and/or attached an Office communication concerning this application or proceeding.

US Restriction

Edwards & Angell LLP

Dike, Bronstein, Roberts & Cushman

101 Federal St. Boston, MA 02110

Date Rec'd *8/22/02*Docketed For *Sep 15, 2002 - Jan 15, 2003*By *KRP*Approved *[Signature]*

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DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
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Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment filed on 8/6/02 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and 1238 O.G. 77, Sept. 19, 2000). In order for the amendment to be compliant, applicant must supply the following omissions or corrections in response to this notice.

THE FOLLOWING ITEMS ARE REQUIRED FOR COMPLIANCE WITH RULE 1.121 (APPLICANT NEED NOT RE-SUBMIT THE ENTIRE AMENDMENT):

- ☐ 1. A clean version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(ii).
- ☐ 2. A marked-up version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(iii).
- ☒ 3. A clean version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(i).
- ☐ 4. A marked-up version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(ii).

Explanation: _____

(LIE: Please provide specific details for correction to assist the applicant. For example, "the clean version of claim 6 is missing.")

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For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/dcom/olia/pbg/sampleaf.pdf>. ~~A condensed version of a sample amendment format is attached.~~

- ☐ **PRELIMINARY AMENDMENT:** Unless applicant supplies the omission or correction to the preliminary amendment in compliance with revised 37 CFR 1.121 noted above within ONE MONTH of the mail date of this letter, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.
- ☒ **AMENDMENT AFTER NON-FINAL ACTION:** Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE MONTH or THIRTY DAYS from the mailing of this notice, whichever is longer, within which to supply the omission or correction noted above in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Timothy Cole
Legal Instruments Examiner (LIE)

(Rev. 12/01)

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ATTACHMENT:



SAMPLE AMENDMENT FORMAT

Conventional Heading Information
for Amendment Supplied Here (Applicant, Appl. No., etc)

AMENDMENT

Sir:

In response to the Office action of October 10, 2000, please amend the above-identified application as follows:

In the Specification:

Please replace the paragraph beginning at page 5, line 15, with the following rewritten paragraph:

-- In this construction the electric heating elements are positioned directly beneath the iron grid bars and melted fat is carried off in grooves formed in the upper surfaces of the bars. --

In the claims:

Please cancel claim 6.

Please amend claim 7 as follows:

7. (Amended) A griller as claimed in claim 1 wherein the power consumption of the heater element is 1250 watts and the weight of the grill member is about 3.5 kg.

(Page Break)

REMARKS/ARGUMENTS

Claims 1-5 and 7-10 remain in this application. Claim 6 has been canceled. Claim 7 has been amended.

Claims

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

SIGNATURE _____

(Page Break)

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the specification:

Paragraph beginning at line 15 of page 5 has been amended as follows:

In this construction the electric heating elements are positioned directly beneath the iron grid bars and melted fat is carried off in grooves formed in the upper surfaces of the bars.

In the claims:

Claim 6 has been canceled.

Claim 7 has been amended as follows:

7. (Amended) A griller as claimed in claim 1 wherein the power consumption of the heater element is 1250 ~~4600~~ watts and the weight of the grill member is about 3.5 kg.

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